

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

08 CV 0931

DEAN SOLOMON, Individually and on Behalf of
All Others Similarly Situated,

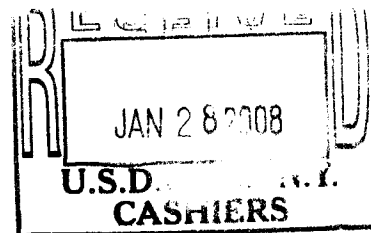
Plaintiff

vs.

THE HERSHEY COMPANY, MARS, INC.,
NESTLE U.S.A., INC., NESTLE S.A., AND
CADBURY SCHWEPPE PLC,

Defendants.

Civil Action No.:



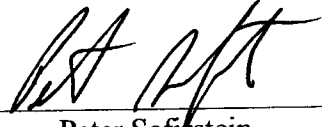
RELATED CASE AFFIDAVIT

STATE OF NEW YORK)
) ss:
COUNTY OF NEW YORK)

PETER SAFIRSTEIN, being duly sworn, deposes and says:

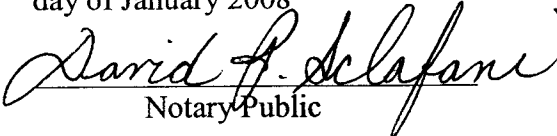
1. I am a partner at the law firm of Milberg Weiss LLP, attorneys for plaintiff in the above-captioned action, which alleges violations of Section 1 of the Sherman Act, 15 U.S.C. § 1.
2. Upon information and belief, this action is related to the previously-filed action captioned, Webb's Candies, Inc. v. Cadbury Adams Canada, Inc., et al., No. 1:08-cv-00382 (PKC), which also asserts similar antitrust claims.
3. Accordingly, it is respectfully submitted that this action should be assigned as a related case to the Honorable P. Kevin Castel.

DATED: January 28, 2008


Peter Safirstein

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Sworn to before me this 28th
day of January 2008


Notary Public

DAVID J. SCLAFANI
NOTARY PUBLIC, State of New York
No. 01SC6057709
Qualified in Kings County
Commission Expires April 23, 2011